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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,634	08/30/2001	Herman Rodriquez	AUS920010559US1	8758

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EXAMINER
ZAND, KAMBIZ

ART UNIT	PAPER NUMBER
2132	

DATE MAILED: 05/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No.	Applicant(s)
	09/942,634	RODRIQUEZ ET AL.
	Examiner	Art Unit
	Kambiz Zand	2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _30 August 2001_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under _Ex parte Quayle_, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-52_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-52_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _30 August 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _01/07/2002_.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 1-04)   Office Action Summary   Part of Paper No./Mail Date 20050405

DETAILED ACTION

1.   **Claims 1-52** have been examined.

Information Disclosure Statement PTO-1449

2.   The Information Disclosure Statement submitted by applicant on 01/07/2002 has

been considered. Please see attached PTO-1449.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.   **Claims 1-52** are rejected under 35 U.S.C. 102(b) as being anticipated by

Shanton (5,369,702 A).

As per claims 1, 18 and 35 Shanton (5,369,702 A) teach an apparatus, a computer

program product in a computer readable medium and a method of generating a security

object for use in securing an item (see abstract), comprising: receiving security object

data (see fig.1, item 8 and associated text with receiving); setting one or more attributes

associated with the security object data (see col.4, lines 14-33), wherein the one or

more attributes include a user designation of a security object type (see col.4, lines 18-

34); and encapsulating the security object data and the one or more attributes with one

or more methods (see col.5, lines 65-67; col.5, lines 1-2 and in elation with fig.3 and

associated text where each level has a method), wherein the security object is used to

control access to secured contents (see fig.3 and associated text; col.5, liners 8-17).

Also see entire reference for detailed of all above limitations. .

As per claims 2, 19 and 36 Shanton (5,369,702 A) teach the apparatus, the computer

program product and the method of claims 1, 18 and 35 further comprising obtaining the

one or more methods from a security object class (see fig.6 and associated text where

each block corresponds to Applicant's object class).

As per claims 3, 20 and 37 Shanton (5,369,702 A) teach the apparatus, the computer

program product and the method of claims 1, 18 and 35, wherein the one or more

methods operate on the security object data and one or more attributes (see fig.3 and 6

and associated text).

As per claims 4, 21 and 38 Shanton (5,369,702 A) teach the apparatus, the computer

program product and the method of claims 1, 18 and 35, wherein the one or more

methods operate on the security object data and input data passed to the security

object (see fig.1 and 3 and associated text; col.4-5).

As per claims 5, 22 and 39 Shanton (5,369,702 A) teach the apparatus, the computer

program product and the method of claims 1, 18 and 35, wherein the security object

data is one of textual data, audio data, graphical data, and biometric data (see col.3,

lines 32-67; col.4, lines 1-10).

As per claims 6, 23 and 40 Shanton (5,369,702 A) teach the apparatus, the computer

program product and the method of claims 1, 18 and 35, wherein the security object

type is one of a single use security object, a group security object, a timed security

object, a concurrent multi-user security object, a security object throttle, a translated

password security object, a security object augmented by a at least one of a CPU

identifier, a CPU speed and a system configuration, a Wave file or MP3 security object,

an image file security object, a security object augmented by a location of the user, a

security object augmented by a current window and/or pointer position, a security object

augmented by an IP address, a security object augmented by a screen background

characteristic, a security object augmented by a personal identification number one of a

speed of a card swipe and a number of times of a card swipe, a security object

augmented by a mobile telephone ring or mobile telephone identification number, a

security object augmented by a caller identification of the user, and a security object

augmented by an environmental condition (see col.3, lines 32-67; col.4, lines 1-34).

As per claims 7, 24 and 41 Shanton (5,369,702 A) teach the apparatus, the computer program product and the method of claims 1, 18 and 35, further comprising: providing the security object to a security system, wherein the security system is not made aware of the security object type (see col.5, lines 42-67).

As per claims 8, 25 and 42 Shanton (5,369,702 A) teach the apparatus, the computer program product and the method of claims 7, 24 and 41, wherein the security system invokes the security object in response to a request for access by the user (see fig.3 and 6 and associated text; col.5, lines 8-17.

As per claims 9, 26 and 43 Shanton (5,369,702 A) teach the apparatus, the computer program product and the method of claims 1, 18 and 35, storing the security object data on an electronic medium in a device with data transmission capability (see col.1-4).

As per claims 10, 27 and 44 Shanton (5,369,702 A) teach the apparatus, the computer program product and the method of claims 9, 26 and 43, wherein the device is a portable device (see col.3, lines 52-57 teach any hardware).

As per claims 11, 28 and 45 Shanton (5,369,702 A) teach the apparatus, the computer program product and the method of claims 9, 26 and 43, wherein the portable device is one of a keychain, a portable MP3 player, a mobile telephone, a pager, an electronic wrist watch, a remote control, a garage door transmitter, a keyless entry device for a

vehicle, a smartcard, and a magnetic stripe card (see col.3, lines 52-57 teach any

hardware).

As per claims 12, 29 and 46 Shanton (5,369,702 A) teach the apparatus, the computer

program product and the method of claims 7, 24 and 41, wherein the security object

contains a partial set of methods and wherein the security system contains a

complementary set of methods (see fig.3 and associated text).

As per claims 13, 30 and 47 Shanton (5,369,702 A) teach the apparatus, the computer

program product and the method of claims 1, 18 and 35, wherein the security object

requires hardware assistance for authentication of input data passed to the security

object (see fig.2 and associated text).

As per claims 14, 31 and 48 Shanton (5,369,702 A) teach the apparatus, the computer

program product and the method of claims 1, 18 and 35, wherein the security object

data is received from a client apparatus (see fig.5-7 and associated text).

As per claims 15, 32 and 49 Shanton (5,369,702 A) teach the apparatus, the computer

program product and the method of claims 1, 18 and 35, wherein the security object

data is received from a user via a user interface (see fig.5-7 and associated text;

abstract).

As per claims 16, 33 and 50 Shanton (5,369,702 A) teach the apparatus, the computer

program product and the method of claims 1, 18 and 35, wherein the user interface is a

security object foundry application resident on a computing device (see abstract).

As per claims 17, 34 and 51 Shanton (5,369,702 A) teach the apparatus, the computer

program product and the method of claims 15, 32 and 49, wherein the user interface is

an interface transmitted from a server apparatus to a client apparatus (see abstract;

col.3, lines 50-57; fig.4 and associated text).

As per claim 52 Shanton (5,369,702 A) teach a method of securing contents,

comprising: receiving a request for access to the contents, the request including input

data; in response to receiving the request for access, retrieving the a user defined

security object; applying the user defined security object to the input data; and

controlling access to the contents based on the application of the user defined security

object to the input data as applied to claims 1, 4, 8 and 13 above.

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure:

Please see enclosed PTO-892.

6. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kambiz Zand whose telephone number is (571)

272-3811. The examiner can normally reached on Monday-Thursday (8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Gilberto Barron can be reached on (571) 272-3799. The fax phone

numbers for the organization where this application or proceeding is assigned as

(703) 872-9306. Information regarding the status of an application may be

obtained from the Patent Application Information Retrieval (PAIR) system. Status

information for published applications may be obtained from either Private PAIR

or Public PAIR. Status information for unpublished applications is available

through Private PAIR only. For more information about the PAIR system, see

http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197

(toll-free).

Kambiz Zand

05/11/2005